

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**EMG TECHNOLOGY, LLC,
Plaintiff,**

v.

**THE VANGUARD GROUP, INC.,
Defendant.**

**CIV. A. NO. 6:12-cv-543-MHS
(LEAD CASE)**

**EMG TECHNOLOGY, LLC,
Plaintiff,**

v.

**THE TJX COMPANIES, INC.,
Defendant.**

**CIV. A. NO. 6:12-cv-904-MHS
(CONSOLIDATED CASE)**

**EMG TECHNOLOGY, LLC,
Plaintiff,**

v.

**J.C. PENNEY CORP., INC.,
Defendant.**

**CIV. A. NO. 6:12-cv-905-MHS
(CONSOLIDATED CASE)**

**EMG TECHNOLOGY, LLC,
Plaintiff,**

v.

**COACH, INC.,
Defendant.**

**CIV. A. NO. 6:13-cv-029-MHS
(CONSOLIDATED CASE)**

**EMG TECHNOLOGY, LLC,
Plaintiff,**

v.

**WILLIAMS-SONOMA, INC., et al.,
Defendant.**

**CIV. A. NO. 6:13-cv-31-MHS
(CONSOLIDATED CASE)**

P.R. 4-5(d) JOINT CLAIM CONSTRUCTION CHART

Pursuant to Patent Local Rule 4-5(d), and the Court's Fifth Amended Scheduling and Discovery Order (Dkt. 139), Plaintiff EMG Technology, LLC and Defendants The Vanguard Group, Inc., The TJX Companies, Inc., J.C. Penney Corp., Inc., Coach, Inc., and Williams-Sonoma, Inc. (the "Parties") submit this Joint Claim Construction Chart by electronic filing.

Exhibit A submitted herewith contains the asserted claims for the patent-in-suit, U.S. Patent No. 7,441,196 (the "'196 Patent"), with the disputed terms highlighted in bold and underlined.

Exhibit B submitted herewith contains in chart form the disputed terms, the Parties' respective proposed constructions for the disputed terms, as well as the constructions on which the Parties have reached agreement.

Dated: November 8, 2013

Respectfully submitted,

/s/ Charles Ainsworth

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CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and the Local Rules, I hereby certify that all counsel of record who have appeared in this case are being served today with a copy of the **P.R. 4-5(d) JOINT CLAIM CONSTRUCTION CHART (with attached Exhibits A-B)** via the Court's ECF/CM System.

Dated: November 8, 2013

/s/ Charles Ainsworth

Charles Ainsworth

CERTIFICATE OF CONFERENCE

I hereby certify that the Parties have conferred in accordance with LR CV-7(h), and that this joint filing has been agreed upon.

Dated: November 8, 2013

/s/ Charles Ainsworth

Charles Ainsworth